



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

MAYOR
Stephen D. Isler
COUNCIL MEMBERS
Jason W. Papanikolas (Mayor Pro Tem)
Amanda M. Dewey
Jeffrey Jay Osmond
Ethan D. Sweep

Town Meeting Minutes October 9, 2019 | 7:00 pm

The meeting was called to order at 7:00 p.m. Present were Mayor Stephen Isler, Mayor Pro Tempore (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey and Ethan Sweep. CM Jeffrey Jay Osmond had an excused absence. Also present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Treasurer Michelle Rodriguez, Chief Kenneth Antolik, Detective Daniel Unger, Public Works Director Kenneth Hall, Code Compliance Director Hollyce Goodwin, BHVFD Representative Matt Huddle and citizens.

1. Approval of Agenda

Mayor Isler requested that the Public Works report be moved up before the Administration report. MPT Papanikolas moved to approve the amended agenda. CM Sweep seconded to approve the agenda. The motion passed 4 to 0.

2. Ceremonial Items

CI-12 Domestic Violence Awareness Month: Mayor Isler read a proclamation calling on everyone to prevent acts of domestic violence and support victims of these crimes. TM Broadbent added that this is a statewide initiative promoted by the Berwyn Heights Police Department (BHPD).

3. Approval of Minutes

CM Dewey moved, and MPT Papanikolas seconded to approve the September 11 Town meeting minutes. The motion passed 4 to 0.

4. Mayor's Report

Mayor Isler thanked CM Dewey and the Green Team for a wonderful pet event that was held last Saturday. Several people adopted pets including a BHPD intern. He was surprised to find that one of his cousins is living in this area as a dog trainer and participated in the event. Mayor Isler also reminded residents to be mindful of students being back in school and to drive carefully near school buses. CM Dewey thanked Mayor Isler and MPT Papanikolas for judging the pet costume and talent contests.

5. Department Reports

Public Works: Director Hall introduced Foreman Cardenas, who may give the Public Works reports in the future. Director Hall reported that the streetsweeper will be in Town October 21-25. Streets north of Pontiac Street will be swept on Monday of that week and those south of Pontiac Street on Tuesday. The remaining days will be for cleaning up missed areas. Residents are requested to park off-street where possible. The new recycling containers are in the process of being delivered to residents and the work should be finished by the end of next week. The street repair work is also drawing to a close with perhaps a few touchups remaining.

CM Dewey thanked Director Hall and his crew for getting the Town Center parking lot repaved, just in time for the pet event. TM Broadbent said Public Works also cleaned up debris from the removal of several trees in the back of the Town Center. One of the large oaks was removed because it was dead. Residents are encouraged to have their trees checked out if they already have brown leaves. They may be dying due to the recent drought. Planting of new trees in the Town right-of-way has been postponed to the spring because of the drought. Residents can request to have the Town plant trees on private property by contacting the Town office if they are willing to maintain them.

Foreman Cardenas said the Public Works Department is getting everything ready for curbside leaf collection in November. For now, residents are requested to continue to place leaves into brown paper yard waste bags for disposal. He also asked residents to drive carefully around trash trucks when crewmen are collecting refuse. The truck drivers are not always able to see approaching vehicles. The new recycling containers that are being delivered come with information about what to do with the old recycling bins. The information packet comes with stickers for the old recycling bins to mark them for yard waste.

CM Sweep cautioned residents about having fires in their yards because of drought conditions. He also thanked TM Broadbent for arranging a staff retreat on the Chesapeake Bay Foundation's skipjack. He enjoyed learning about the environmental improvements in the Bay and Chesapeake Bay history. TM Broadbent said the skipjack was the iconic boat of the Chesapeake Bay but only a few of them remain. The excursion was financed from a rebate staff earned by using health insurance judiciously.

Administration-Treasurer's Report: Treasurer Rodriguez gave the Treasurer's report for September. She said that revenues and expenses have been normal. The Town was able to sell an old pickup truck for \$6,200 via online auction. The money was deposited in the vehicle replacement reserve. A Town ride-on mower will go on the auction block tomorrow. Further, transfers to reserves from FY 2019 revenues were processed, including the infrastructure reserve, the vehicle replacement reserve and the NW/EP trailer reserve. Responding to CM Dewey, Treasurer Rodriguez said that the audit is on track and is due to the State by the end of October. TM Broadbent added that the auditors may present to the Council in November.

Town Manager's Report: TM Broadbent reported that this will be the last Town meeting at which department directors will give their monthly reports in person although the reports will still be provided to Council and entered into the public record. Instead the directors will give a status report on their projects at the second worksession of the month. The project list will be reformatted to show the origin of each project and to be published on the Town website. The Police Chief may continue to give a monthly report to satisfy reporting requirements, and other directors may come to the Town meeting on a quarterly basis.

Code Compliance: Code Director Hollyce Goodwin gave the code activities report. Currently there are 283 rental units, 210 of them active. The Department issued 7 rental licenses and performed 17 inspections and 3 re-inspections. Further, the Department issued 13 clean lot violations and a few courtesy notices. Most clean lot violations pertained to vehicle storage issues. Residents are reminded that vehicles having no tags or expired tags must be covered with a vehicle cover or stored in a garage.

Director Goodwin said the Department continues to process business licenses. Of 110 applications sent to Town businesses, ninety have now been returned. Compliance stands at approximately 80%. Businesses that fail to submit a license application are subject to an initial \$50 fine and then a \$25 fine per month. The Department also issued 2 building permits, 5 dumpster permits and 1 right of way permit.

The Code Department continues to monitor the McDonald's reconstruction, which should be finished, and the restaurant reopened in mid-November. At the moment, the construction site is chaotic as the contractors are rushing to get the project done. Last Saturday, the Code Department took part in a multi-cultural day hosted by the Police Department. There was food and music and it provided a good opportunity to engage with residents.

Phil Ventura, 57th Avenue, asked whether the Code Department has an update on removal of a dead oak tree that grows in a resident's yard. Director Goodwin said the Department sent out notices to a number of homeowners asking them to remove dead trees giving them a period of 60 days to comply. Most property owners have complied, some have asked for extensions. She has not heard anything from this property owner and will check into it.

CM Dewey asked whether homeowners are required to use a certified arborist to cut down large trees and whether the Town can make sure they actually do. TM Broadbent said that homeowners are required to use a Maryland-licensed tree care expert, but not necessarily an arborist. The Town does not enforce tree care licensing. Residents are encouraged to make sure that the contractors they hire are licensed and insured. Licenses can be looked up on the Department of Labor website at <https://www.dllr.state.md.us/pq/>.

Parks, Recreation, Education & Civic Affairs: CM Dewey reported that she has been working on the resident survey and is expecting submissions of survey questions from the staff and Town organizations by next week. She also attended the second meeting of the Walkable, Bikeable Berwyn Heights Task Force (WBBH). The group is doing a lot of research and discussing interesting ideas. She is looking forward to hearing their recommendations. She thanked all those who helped with, and came out for, a great pet event last Saturday.

Public Safety/ Berwyn Heights Volunteer Fire Department: Matthew Huddle reported that the BHVFD was awarded a \$70,000 FEMA Assistance to Firefighters Grant for two self-loading power stretchers and two new stair chairs for the ambulances. This equipment should reduce the potential for injuries while loading patients into ambulances. The Department is waiting for updates on the new rescue squad that is in the process of being built. Fundraising letters have gone out to the residents. This will be the only way the Department contacts residents. No calling or door-to-door soliciting will take place. The BHVFD has received the Town's donation and appreciates the support.

In response to TM Broadbent and CM Dewey, Mr. Huddle said the Department does not track fire danger levels. However, the County Fire Department works with the Department of Natural Resources (DNR) to publish fire risk warnings. Prince George's County does not allow bonfires and burning of leaves in open areas, but fires in fire pits and hearths are permitted. Currently, he recommends not burning anything outside.

Police Department: Detective Unger gave the police activities report as Chief Antolik was on vacation. In September there were 8 Part I offenses: 2 assaults, 1 burglary and 6 thefts, which is higher than the 5-year average of 6.8. The Police issued 118 State and municipal citations, made 3 arrests, impounded 4 vehicles, and patrolled approximately 3,006 miles.

In response to questions, Detective Unger said to prevent thefts of packages delivered to the doorstep, residents might consider getting a video doorbell that is connected to one's smartphone. They act as a deterrent and if there is a theft, police can be provided some documentation. For any internet purchases made through Craig's List, Letgo, Offerup and similar vendors, BHPD has established safe exchange zone in the BHPD parking lot that has video surveillance.

6. Committee Reports

Education Advisory Committee: CM Dewey said the BHEAC will hold a series of listening sessions during its meetings, starting on October 26, 6:00 p.m. In this session, students and parents of students in middle and high school, public and private school are invited to attend the sessions to share their needs and concerns. Future sessions will focus on different age groups and topics. The next regular meeting will be on November 25.

Green Team: CM Dewey said the Green Team will participate in Trunk or Treat with a telescope stargazing activity and after Halloween trick-or-treating hold a special Town cleanup on November 2. There will be refreshments and prizes for maintaining a clean perimeter on one's property or participating in the cleanup.

Historical Committee: Clerk Harper reported that the Historical Committee continues to prepare for its fall reception on November 10. This year the BHHC will celebrate the 100th Anniversary of the Berwyn Heights Company with the dedication of a historic marker, a slideshow and a meet & greet of descendants of the people who ran the Company.

Neighborhood Watch/Emergency Preparedness: There was no report.

Recreation Council: President Susan Jones reported that the Recreation Council hosted a successful series of summer concerts at Lake Artemesia. There are plans for doing it again next summer expanding it to include College Park. The Recreation Council also intends to start a singer/ songwriter program and invites anyone to contact them if interested in participating. The ice cream social was very well attended by a diverse set of residents. Trunk or Treat is scheduled for October 19, with setup at the Community Center starting at 6 p.m. There will be prizes for best decorated cars and costumes. On November 3, 3:00 p.m., the 'Turtle Heroes' will give a bluegrass concert at the Town Center, and on December 7, 6:00 p.m., the annual tree lighting celebration will be held in the Senior Center.

This Friday at 7:00 p.m. will be the first showing of a movie by a newly established movie club. The club plans to convene every Friday evening in the G. Love Room to watch and discuss a movie, while covering a wide selection of genres. CM Dewey said people should also watch out for Trivia Night, which will come back early next year.

7. Unfinished Business

There was none.

8. New Business

Variance 94-2019 8906 58th Avenue: TM Broadbent said the applicant for the variance wants to develop a lot at 8906 58th Avenue and attended the last worksession to explain his situation.

Director Goodwin said that the property owner, Jay Endelman, needs two variances to build a new house on his lot. His property does not meet current development standards. He is requesting variances of 185 square feet of net lot area and 15 feet for the front building line to meet the minimum requirements of 6,500 square feet of net lot area and 60 feet of front building line width. At the last worksession, the Council and staff expressed concern about parking limitations, storm water management facilities and lack of shade trees at the property and set the following conditions for approval of the variances:

1. Addition of two dry wells in the front and rear of the dwelling; and

2. Addition of a large shade tree in the southwest corner of the property.

Both changes are to be shown on a revised landscape plan that will be submitted to County for the record. Mr. Endelman agreed to make those changes and staff recommends approval.

CM Dewey asked whether the property owner might also be asked to add rain barrels and/ or a rain garden as additional storm water mitigation devices. TM Broadbent advised against it as Mr. Endelman has already gone beyond the County's requirements for storm water mitigation. Further, some homeowners will not want to maintain rain barrels or a rain garden, limiting their utility if the house is sold.

CM Sweep moved to recommend approval of Variance 94-2019 to the Board of Zoning Appeals with the above conditions, plus adding rain barrels at his discretion. MPT Papanikolas seconded. The motion passed 4 to 0.

9. Citizen Discussion

Darald Lofgren, 58th Avenue, said two lots adjacent to the Public Works yard are vacant and may be available for purchase. When he was on the Council, he had supervision of the Public Works Department and knows that it would be beneficial to have more space for all the trucks and equipment. The vacant lot may even be large enough to accommodate a new Police Department. He suggested the Council look into purchasing it if available. CM Sweep said he believes the previous Council discussed the purchase with the owners, but they wanted more money than the property is worth. TM Broadbent offered to talk to the owners.

Phil Ventura said that the new rain barrels installed around the Town Center overflow during heavy rains with water splashing down next to foundation. The old barrels were designed to slowly drain through a hose directed away from the building.

Blake Dewey, Quebec Place, asked the Council to consider supporting a repeal of the pit bull ban instituted in 1997 that is now being taken up by the Prince George's County Council. A 2003 task force studied the effects of the ban and found that it is expensive to enforce, has few public safety benefits, and reduces the ability of the County's Animal Control agency to effectively enforce animal regulations in other areas, such as leash laws and animals at large. The task force recommended a repeal of the ban to free up resources and shelter space. The saved money could be used for other animal control activities, including promoting responsible dog ownership.

CM Sweep said he personally agrees with a repeal of the ban and believes that pit bulls are not innately more vicious than other dogs. A CDC study about dog bites has confirmed this. The County Council is expected to take the issue up in the next legislative session and he would be in favor of this Council writing a letter to support repeal. TM Broadbent suggested adding it to the agenda for the legislative dinner.

Susan Jones said the Prince George's Parks & Recreation Department recently renovated the stage at Lake Artemesia. Performers would like to have a roof put onto it to keep the sun or rain off. She has talked to a number of people about a roof, including the park ranger, and most support the idea. She asked whether the Council could raise the issue with the Parks & Recreation Department. TM Broadbent said she would be happy to do this.

Darald Lofgren said when Lake Artemesia Park was established, the Town told Park & Planning that it wanted the park to be a quiet recreational area. Asking them to make upgrades to the stage conflicts

somewhat with the original intent. It may bring more concerts and people to the Lake, who would most likely be parking in Berwyn Heights.

The meeting was adjourned at 8:33 p.m.

Signed: *Kerstin Harper*, Town Clerk